

FOR YOUR INFORMATION

August 17, 2007

To: Mayor and Members of City Council

From: Milton Dohoney, Jr., City Manager

Subject: **Continuing Concerns Regarding Northern Kentucky Wastewater Treatment Plant**

This provides an update on the current efforts of the City of Cincinnati and Greater Cincinnati Water Works to resolve the many serious concerns regarding the Eastern Regional Wastewater Treatment Plant (ERWWTP) being constructed in Alexandria, Kentucky.

At a quickly convened meeting at USEPA yesterday, we learned that the discharge permit was expected to be issued by the Kentucky Environmental & Public Protection Cabinet within the next few days. We later discovered that, within hours of the meeting, Kentucky issued the permit. As we have consistently stated, we will review the permit, and if it fails to adequately protect the Ohio River as a drinking water source, Cincinnati will pursue available remedies through the legal and administrative process in order to preserve our rights to do so in the future.

The meeting yesterday was requested by members of our congressional delegation, who expressed concern about protecting the Ohio River as a source of drinking water. Represented at the meeting were U.S. Senators Sherrod Brown and George Voinovich, U.S. Representatives Steve Chabot and Jean Schmidt of Ohio, and U.S. Representative Geoff Davis from Kentucky. The meeting also included representatives of EPA Regions 4 and 5, Greater Cincinnati Water Works, and the USEPA. Because the meeting was hastily scheduled, many attended via conference call.

During this meeting, Cincinnati continued to express concerns about the location of the discharge which will enter the Ohio River about 11 miles upstream of our water intakes, after discharging into Brush and Twelvemile Creeks approximately five miles above the river. Among other issues, Cincinnati remains concerned about the lack of effluent limitations or treatment requirements related to pollutants of concern to Cincinnati, such as the protozoan parasites *Cryptosporidium* and *Giardia*, enteric viruses, contaminants including synthetic organic chemicals, and endocrine-disrupting chemicals. All of these are known to be found in discharge from wastewater treatment plants, and all have an adverse impact on human health. The increased treatment required by the Cabinet for discharge into Brush Creek will not affect these pollutants.

We once again proposed formal mediation as a way to find a regional solution and agreed to consider all viable options. The USEPA representative from the Office of Congressional and Intergovernmental Relations stated that he could not make a commitment for USEPA's involvement but that he would discuss the possibility with the appropriate individuals.

In a continuing effort to find a regional solution, representatives of Greater Cincinnati Water Works have recently been meeting with representatives of the Northern Kentucky Water District and the Northern Kentucky Sanitation District 1 (SD1) under the auspices of the Cincinnati and Northern Kentucky Chambers of Commerce to discuss our differences and attempt to move toward mediation. A representative of Ohio Governor Ted Strickland has also attended these meetings and has been supportive of efforts to find an enforceable mediated solution that will serve the people of this region today and into the future. Although we have proposed formal mediation to SD1 twice in the past and been rejected, we are continuing to make every effort to find a regional solution.

Additional information regarding this issue is available at GCWW's internet web site www.cincinnati-oh.gov/gcww under "Features, Protecting GCWW's Source Water – The Ohio River".

Copy: David E. Rager, Director, Greater Cincinnati Water Works